

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

INTERNATIONAL MEZZO TECHNOLOGIES, INC.)	
)	Civil Action No. 3:23-cv-01620-BAJ-RLB
)	
Plaintiff,)	JUDGE BRIAN A. JACKSON
)	
v.)	MAGISTRATE JUDGE RICHARD L.
)	BOURGEOIS, JR.
AIRBORNE ECS, LLC,)	
)	JURY DEMAND
Defendant.)	

**AIRBORNE ECS, LLC’S MOTION TO TRANSFER OR, IN THE ALTERNATIVE, TO
DISMISS**

Pursuant to Federal Rules of Civil Procedure 12(b)(3), 12(b)(2), and 12(b)(6), as well as 28 U.S.C. § 1404, Defendant Intergalactic Spaceworx, LLC f/k/a Airborne ECS, LLC (“Intergalactic”) moves to transfer this matter to the United States District Court for the Western District of Washington or, in the alternative, to dismiss the action.

First, the agreement at issue here contains a mandatory forum-selection provision expressly stating that any “action to enforce” the agreement “must be brought in the federal or state courts sitting in King County,” Washington State (*i.e.*, Seattle). This is an action to enforce the agreement, so Plaintiff International Mezzo Technologies, Inc. (“Mezzo”) was required to file it in the United States District Court for the Western District of Washington. When litigants flout forum-selection provisions, as Mezzo did here, federal courts transfer cases to the appropriate forum under 28 U.S.C. § 1404(a).

Second, Intergalactic is not subject to personal jurisdiction in Louisiana. It has scant contacts with Louisiana – Mezzo alleges two brief visits several years ago, along with a letter

alleging patent infringement – and the law is clear that these contacts do not satisfy the constitutional minimum for personal jurisdiction.

And *third*, in any event, Mezzo’s claims are riddled with defects, falling years outside the applicable limitations periods or not even attempting to plead the required elements.

Accordingly, the Court should transfer the action to the United States District Court for the Western District of Washington or dismiss it outright.

DATED: January 30, 2024

/s/ Tyler D. Trew

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